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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,143	01/20/2004	Lewis R. Dove	10020701-1	4168

7590 06/28/2006

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EXAMINER	
LEE, BENNY T	

ART UNIT	PAPER NUMBER
2817	

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/762,143	DOVE ET AL.	
	Examiner	Art Unit	
	Benny Lee	2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7,9-12; 15,16,18,19* is/are rejected.

7)☒ Claim(s) *4,6,8,13,14; 17,20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

In view of the appeal brief filed on 2 May 2006, PROSECUTION IS HEREBY REOPENED. A new grounds of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Robert Pascal (SPE).

The disclosure is objected to because of the following informalities: Page 4, paragraph [0016], note that "is shielded 106, 108" appears to be an incomplete recitation. Applicants' comments have been noted. The examiner finds applicants' alternative language much more suitable, and suggests that an amendment incorporating such language be made in applicants' next response. Pages 5, 6, paragraph [0025], note that --by step-- should precede (902, 904, 906, 908, 910), respectively. Applicants' comments regarding this issue has been noted, but found to be unpersuasive. It should be noted that each of the above labeled blocks (i.e. 902, 904, ..., etc)

are indeed --steps-- in the flow diagram depicted in "Fig. 9" and thus such terminology is deemed appropriate. Appropriate correction is required.

The disclosure is objected to because of the following informalities: Note that the following reference labels need description relative to the corresponding figure: fig. 4 (218), fig. 8, all reference labels except (700, 702, 704). Applicants' comments regarding this issue has been noted, and it is suggested that to avoid duplicative description, applicants' should provide a statement indicating that like reference numbers in different drawing figures refer to the same element/feature and may not be described in detail for all drawing figures. Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 7, 9, 12; 15, 16, 18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ishikawa ('557).

Ishikawa discloses in general a transmission line comprising: a substrate (1) of dielectric material (e.g. a ceramic material such as barium titanate as described at col 13, ls 14, 15) having a grounded conductor (2) deposited on or overlying a lower or rear surface thereof and a plurality of microstrip conductor lines (3) disposed at a front surface thereof, as described at col 12, ls 19-25. With respect to the embodiment of Fig. 11, the microstrip conductor lines (3) is sandwich between the dielectric substrate (1) and respective dielectric layers or "mounds" (6) which are adjacent each other and deposited as to overlie the corresponding microstrip conductor line (3).

Moreover, note that an upper ground shield (8) is deposited as to overlie each dielectric mound (6). Also, as evident from fig. 11, respective conductive vias (9) electrically connect the upper ground shields (8) to the grounding conductor (2) through conductive ground "traces" (4) located about the conductors (3). As evident from fig. 1, the sections of ground conductor layer (40 can be properly characterized as ground "traces".

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 10, 11; 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above rejection as applied to claims 1, 15, respectively above, and further in view of Dove et al ('979), of record.

The above combination meets the claimed invention except for the use of KQ dielectrics formed as a thick film dielectric.

Dove et al discloses that the use of KQ dielectrics, especially in shielded coaxial multi-layer structures, is conventional in the art.

Accordingly, in view of the recognized teaching in Dove et al, it would have been obvious to have further modified the dielectric layer and mounds of the combination to have been KQ dielectric material, especially in view of the their recognized conventional use in shielded coaxial multi-layer structures, such as in the combination.

Applicant's arguments with respect to claims 1-5, 7-9, 12, 14, 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Claims 4, 6, 8, 13, 14; 17, 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number (571) 272-1764.

B. Lee

Benny Lee

BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817